



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/870,890	05/30/2001	Frederick D. Weber	2000.080100/TT4829	2033
23720	7590	02/15/2005		
WILLIAMS, MORGAN & AMERSON, P.C. 10333 RICHMOND, SUITE 1100 HOUSTON, TX 77042			EXAMINER PERUNGAVOOR, VENKATANARAY	
			ART UNIT 2132	PAPER NUMBER

DATE MAILED: 02/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/870,890

Applicant(s)

WEBER ET AL.

Examiner

Venkatanarayanan Perungavoor

Art Unit

2132

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 May 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-67 is/are pending in the application.
- 4a) Of the above claim(s) 25-67 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 May 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restriction

The inventions are distinct, from each other because:

Restriction to one of the following inventions is required under 35 U.S.C. 121:

- I. Claims 1-24, drawn to a method of booting a computer system, classified in class 713, subclass 2. Independent Claims 1,9,17.
- II. Claims 25-51, drawn to a method of booting a computer system, the computer system including a processor coupled to a memory, to security hardware, and to a first device, classified in class 713, subclass 166.
Independent claims 25,43.
- III. Claims 52-75, drawn to a method of booting a personal computer system, classified in class 713, subclass 193. Independent claims 52, 60, 68.
- IV. Claims 76-96, drawn to a method of a booting a computer system, classified in class 713, subclass 168. Independent claims 76, 83, 90.
- V. Claims 97-105, drawn to a method of a booting a computer system, classified in class 713, subclass 154. Independent claims 97, 100, 103.
- VI. Claims 106-117, drawn to a method of booting a computer system, classified in class 713, subclass 170.Independent 106, 110, 114.

Inventions stated in Groups I-VI are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown separately usable. In the instant case, invention relating to each

of the methods for booting a computer system where each of the subcombination can be used separately for each other without loss of utility. See MPEP § 806.05(d).

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art because of their recognized divergent subject matter, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for Groups I is not required for Group II, III, IV, V, VI restriction for examination purposes as indicated is proper.

During a telephone conversation on 1/18/05 provisional election was made to Claim 1-24 with the right to traverse to prosecute the invention of secure booting of a personal computer system, claim 1-24. Affirmation of this election must be made by applicant in replying to this Office action. Claim 25-117 withdrawn from further consideration by the examiner, 37 CFR 1.142(b), as being drawn to a non-elected invention.

Information Disclosure Statement

The Applicant is requested to update the related applications listed in the instant applications:

WMA NOS.	SERIAL NOS.
2000.038300	09/852,372
2000.038400	09/852,942
2000.038500	09/853,395
2000.038600	09/853,446
2000.038700	09/870,447
2000.038800	09/870,889
2000.038900	09/853,225
2000.039000	09/871,084
2000.039100	09/871,51 1
2000.039200	09/544,858
2000.039300	09/853,226
2000.039400	09/854,040

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claim 1-24 rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6256740 B1 to Muller et al.

3. Regarding Claim 1, The "establishing a secret between two or more devices; and securing the secret in each of the two or more devices" **see Column 3 Line 22-42.**

4. Regarding Claim 2, The "a first GUID from a first device to a master device; and wherein securing the secret in each of the two or more devices comprises storing the first GUID in a GUID table in the master device, preventing access to the first GUID in the first device, and preventing access to the GUID table in the master device" **see Column 41 Line 29-53 & Column 3 Line 22-42.**

5. Regarding Claim 3, The "the first device setting an introduced bit in response to providing the first GUID from the first device to the master device" **see Column 15 Line 20-31.**

6. Regarding Claim 4, The "establishing the secret between two or more devices further comprises providing a system GUID from a master device to at least a first device and wherein securing the secret in each of the two or more devices further comprises storing the system GUID in a storage location in at least the first device, preventing access to the system GUID in the storage location in at least the first device, and

preventing access to the system GUID in the master device” **see Column 41 Line 29-53 & see Column 3 Line 22-42.**

7. Regarding Claim 5, The “establishing the secret between two or more devices comprises providing a system GUID from a master device to at least a first device; and wherein securing the secret in each of the two or more devices comprises storing the system GUID in a storage location in at least the first device, preventing access to the system GUID in the storage location in at least the first device, and preventing access to the system GUID in the master device” **see Column 41 Line 29-53 & see Column 3 Line 22-42.**

8. Regarding Claim 6, The “first device setting an introduced bit in response to providing the system GUID from the master device to at least the first device” **see Column 15 Line 20-31.**

9. Regarding Claim 7, The “establishing the secret between two or more devices comprises a master device providing a value to a first device as a first GUID; and wherein securing the secret in each of the two or more devices comprises the first device storing the first GUID in a storage location, the master device storing the first GUID in a GUID table, preventing access to the first GUID in the first device, and preventing access to the GUID table in the master device” **see Column 3 Line 22-42 & Column 41 Line 29-53.**

10. Regarding Claim 8, The "establishing the secret between two or more devices further comprises the master device obtaining a random number and the master device providing the random number to the first device as the first GUID" **see Column 41 Line 37-44 & see Column 3 Line 22-42.**

11. Claim 9 and Claim 17 is rejected under the same rationale as Claim 1 above.

12. Claim 10 and Claim 18 is rejected under the same rationale as Claim 2 above.

13. Claim 11 and Claim 19 is rejected under the same rationale as Claim 3 above.

14. Claim 12 and Claim 20 is rejected under the same rationale as Claim 4 above.

15. Claim 13 and Claim 21 is rejected under the same rationale as Claim 5 above.

16. Claim 14 and Claim 22 is rejected under the same rationale as Claim 6 above.

17. Claim 15 and Claim 23 is rejected under the same rationale as Claim 7 above.

18. Claim 16 and Claim 24 is rejected under the same rationale as Claim 8 above.

Conclusion

19. It would be obvious to one having ordinary skill in the art at the time of the invention

European Patent No. EP 1076438 A2 to Nagasaka, Fumio

U.S. Patent No. 4581716 A to Kamiya

20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Venkatanarayanan Perungavoor whose telephone number is 571-272-7213. The examiner can normally be reached on 8-4:30.


Art Unit: 2132

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gilberto Barron can be reached on 571-272-3799. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Venkatanarayanan Perungavoor
Examiner
Art Unit 2132

VP
2/2/05


GILBERTO BARRON JR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100